

Amendments to the Drawings:

The attached drawing sheet includes changes to Figure 2. This sheet should replace the prior sheet which included Figure 2.

Attachment: Replacement Sheet

R E M A R K S

This paper is in response to the Office Action mailed on March 17, 2005 wherein Claims 1-10 were rejected. Claim 11 has been added and Claims 1-11 remain pending.

Objection to Drawings

On page 2 of the Office Action, the Examiner objected to the drawings because they did not show a “rolling sensor”. Applicants have added a rolling sensor 11 to Figure 2 to comply with the Examiner’s rejections.

Claim Rejections Under 35 USC § 112

On page 3 of the Office Action, the Examiner rejected claim 3 as being indefinite. Applicants have amended Claim 3 to address the Examiner’s rejections.

Claim Rejections Under 35 USC § 102 and 103

On pages 3 and 4 of the Office Action, the Examiner rejected Claims 1, 3-6 and 8-10 under 35 USC §102(b) as being anticipated by McCelland

On pages 5 and 6 of the Office Action, the Examiner rejected Claims 2 and 7 under 35 USC §103 as being unpatentable over McCelland in view of Smith et al.

Applicants have amended the claims to better describe the present invention. The present claimed invention includes elements directed to a method of learning the positions of integrated tire pressure switches on a vehicle. By learning the positions of the switches the system may precisely identify which tire has a tire pressure fault. McCelland includes a learning operation which utilizes a magnetically operated reed switch, as disclosed in column 6, lines 37-45. The McCelland learning operation requires a small hand held magnet. The present invention eliminates the need for a hand held magnet by utilizing a manually activated plunger. McCelland does not teach or suggest the present invention. McCelland in structure teaches away from the present by requiring a manually held magnet.

Smith et al. teaches a sensor device added to the valve stem of a tire to transmit tire pressure. Smith et al. does not teach or suggest a method of learning the position of the tires relative to the vehicle. The Smith et al. system merely indicates that one of the tire has a pressure fault and the operator of the vehicle must visually or manually determine which tire has the pressure fault. Furthermore, the Smith et al. sensor is not structurally integrated into the tire pressure valve and must be screwed in by an operator. The actuating pin or plunger that the Examiner has cited in Smith et al. is used to fill the tire with air and not to generate a learn signal. Smith et al. does not include an electrical switch to interact with the actuating pin 28. Smith et al. does not teach or suggest the present invention.

McCelland and Smith et al., singly or in combination, do not teach or suggest the present invention. Furthermore, McCelland explicitly teaches away from the present invention, as it includes separate hardware including a magnetically operated reed switch that would not be actuated by the pin 28 of Smith et al. The suggested combination of the Examiner is improper, references cannot be combined where the reference teaches away from their combination. See MPEP Section 2145

The combination suggested by the Examiner destroys the intent, purpose, and/or function of the invention disclosed in McCelland. The function of McCelland requires a hand held magnet to actuate a reed switch in the “learn mode”. To attempt to actuate the reed switch of McCelland with the pin of Smith et al. would generate a non-functioning system. The CCPA and Federal Circuit have consistently held that an obviousness rejection based on a modification that destroys, the intent, purpose or function of the invention disclosed in a reference is not proper and a *prima facia* case of obviousness cannot be properly made. *In re Gordon* 733 F.2d 900, 221.

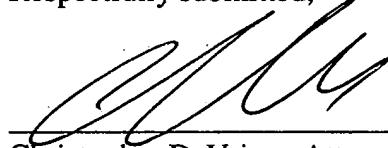
If the Examiner relies on personal knowledge that the operation of the apparatus of the present invention is obvious in light of the cited art, Applicants respectfully request support for this assertion in the form of an affidavit that shall be subject to contradiction or explanation by the affidavits of the Applicant and other persons under 37 C.F.R. 1.104 (d)(2).

Conclusion

The entire Office Action dated March 17, 2005 has been carefully reviewed, and this response is submitted as being fully responsive thereto. In view of the preceding remarks, Applicants respectfully submit that Claims 1-11 are in condition for allowance and respectfully request such action at the Examiner's earliest convenience. If the Examiner believes that personal contact would be advantageous to the disposition of this case, he is requested to call the undersigned at his earliest convenience.

If for some reason a fee needs to be paid, as well as one-month extension fee please charge Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted,



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